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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
JUN 23 AM 10:45

UNITED STATES OF AMERICA,	'08 MJ 1926
Plaintiff,	Magistrate Case No. ________ KNH
v.	COMPLAINT FOR VIOLATION OF
Jose Antonio LOPEZ-Arreola	Title 8, U.S.C., Section 1324(a)(1)(A)(iv)-Inducing and Encouraging Illegal Aliens To Enter the United States
Defendant.	

The undersigned complainant being duly sworn states:

On or about **June 20, 2008**, within the Southern District of California, Defendant **Jose Antonio LOPEZ-Arreola**, did encourage and induce an alien, namely **Santiago GOMEZ-Diaz** with the intent to violate the immigration laws of the United States, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence in the United States is and will be in violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 23rd DAY OF **JUNE, 2008**.

UNITED STATES MAGISTRATE JUDGE

I, United States Customs and Border Protection (CBP) Enforcement Officer Fernando Cerda, declare under penalty of perjury the following to be true and correct:

The complaint states that **Santiago GOMEZ-Diaz** is a citizen of a country other than the United States; that said alien has admitted he is deportable; that his testimony is material, that it is impracticable to secure his attendance at the trial thereof by subpoena and that he is a material witness in relation to this criminal charge and should be held or admitted to bail as prescribed in Title 18, United States Code, Section 3144.

On June 20, 2008, at approximately 7:47 AM, **Jose Antonio LOPEZ-Arreola (Defendant)** made application for admission into the United States at the Otay Mesa Port of Entry. Defendant was the driver of a 1990 Plymouth Voyager with two visible passengers. Upon inspection before a Customs and Border Protection (CBP) Officer, Defendant presented a Permanent Resident (I-551) card bearing the name Alfredo Santillan-Terriquez. In addition, Defendant presented two I-551 Cards bearing the names Rogelio Aguilera (Front Passenger) and Roman Aguayo-Munoz (Rear Passenger) on behalf of the two male passengers. Upon shift change, a second CBP Officer arrived to the scene and took over the inspection. The CBP Officer requested a second identification from Defendant. At that time, Defendant presented a State of California Driver License and declared that they were going to work in Chula Vista, California. The Officer noticed the Defendant was avoiding eye contact; furthermore, Defendant was sweating and was very hesitant when answering questions. The Officers suspected the travelers were not the rightful owners of the documents and elected to escort the vehicle and its occupants to secondary for further inspection.

In secondary, Defendant was determined to be an impostor to the document he presented. Defendant admitted he is a citizen of Mexico without legal documents to enter the United States. The two passengers were also determined to be imposters to the documents presented on their behalf. Both were determined to be citizens of Mexico without legal documents to enter the United States. The front passenger was identified as Jose Luis CASTANEDA-Martinez. The rear passenger was identified as **Santiago GOMEZ-Diaz (Material Witness).**

Defendant was advised of his Miranda rights, acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted a smuggler known as "Beto" provided him with the documents and the vehicle. Defendant stated he agreed to smuggle the two alien impostors for a monetary compensation of $400.00 USD. Defendant stated he was to drop off the aliens in Chula Vista, California and then return to Tijuana, Mexico to get paid.

During a separate videotaped interview, Material Witness admitted he is a citizen of Mexico by virtue of birth in Cuquillo, Jalisco, Mexico. Material Witness admitted he made the arrangements and was to pay $3,500.00 USD to be smuggled into the United States. Material Witness stated he was going to Utah to seek residency and employment. Material Witness added that he was told what to say by the Defendant; hence, Defendant continued to tell him not to get nervous prior to arriving to the inspection booth.

EXECUTED ON THIS **20th** DAY OF **JUNE 2008** AT **6:00 PM.**

On the basis of the facts presented in the Probable Cause Statement consisting of **1** page, I find probable cause to believe that the defendant named therein committed the offense on **June 20, 2008** in violation of Title 8, United States Code, Section 1324.

CBPO 7238

SIGNATURE OF COMPLAINANT
Fernando Cerda, United States Customs and Border Protection Enforcement Officer

UNITED STATES MAGISTRATE JUDGE
June 21, 2008
11:50 AM.